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Application Number	09/804,853
Filing Date	March 13, 2001
First Named Inventor	Erwin Aguayo, Jr.
Group Art Unit	2711
Examiner Name	Not Yet Assigned
Attorney Docket Number	00119-103-USP

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Cited References --as indicated on PTO/SB08 |
|--|---|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	ZOLTICK TECHNOLOGY LAW GROUP, PLLC Martin M. Zoltick
Signature	
Date	January 23, 2002

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U.S. Patent Application No. 09/804,853
Attorney Docket No. 00119-103-USP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Erwin Aguayo, Jr.

Serial No.: 09/804,853

Filed: March 13, 2001

For: Distributed Video Segement
Microcasting (DVSM) Technology

Group Art Unit: 2711

Examiner: Not yet assigned

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The Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT (IDS)

Dear Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants hereby make of record in the above-identified application the documents listed on the attached PTO/SB/08 (substitute for form PTO-1449) (submitted in duplicate). The order of presentation of the references should not be construed as an indication of the importance of the references.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication

dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants have checked the appropriate items below:

- X 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. 1.491, OR before the mailing date of a first Office Action on the merits, whichever event occurs last. No certification or fee is required. 37 C.F.R. 1.97(b).
2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Rejection or Notice of Allowance. 37 C.F.R. 1.97(c).
- a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).
- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).
- c. Attached is our check in the amount of \$240.00 in payment of the fee under 37 C.F.R. 1.17(p). Please charge any fee deficiencies, or credit any overpayment, to Deposit Account No. 50-0311 to ensure consideration of the Information Disclosure Statement. Two duplicate copies of this paper are attached.

- ___ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage, AND after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. A separate Petition to the Group Director, requesting consideration of this Information Disclosure Statement, is concurrently submitted herewith, along with our Check No. ___ in the amount of \$___ in payment of the fee under 37 C.F.R. 1.17(i)(1). Please credit or debit Deposit Account No. 50-1734 as needed to ensure consideration of the Information Disclosure Statement. Two duplicate copies of this paper are attached.
- ___ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).
- ___ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).
- X 4. The Document(s) AW, AX, AY, AZ, AAA, AAB, AAC, and AAD were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided.
- ___ 5. A concise explanation of the non-English language document(s) appears in the attached appendix.
- ___ 6. The Examiner's attention is directed to co-pending U.S. Patent Application No(s). _____ which are directed to related technical subject matter. The identification of this/these U.S. Patent Application(s) is not to be construed as a waiver of secrecy as to this/these application(s) now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application(s) and the art cited therein during examination of the above-identified application(s).
- ___ 7. Document(s) _____ was/were cited by or submitted to the Office in Application No. _____, filed _____, which is relied upon for an

earlier filing date under 35 U.S.C. § 120. Thus copies of these documents are not attached. 37 C.F.R. § 1.98(d).

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO/SB/08, and indicate in the official file wrapper of this patent application that the documents have been considered.

Dated: January 23, 2002

Respectfully submitted,



By
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Attorneys for Applicant

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Substitute for form 1449A-PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	Not Yet Assigned	
			Filing Date	March 13, 2001	
			First Named Inventor	Erwin Aguayo	
			Group Art Unit	N/A	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	2	Attorney Docket Number	00119-103-USP

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U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document (*indicates copy of reference enclosed)	Date of Publication of Cited Document MM-DD-YYYY	Pages, columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A	6,005,600			12-21-2000	
	B	6,101,613		*Garney et al.	08-08-2000	
	C	6,075,551			06-13-2000	
	D	6,064,739			05-16-2000	
	E	6,061,471			05-09-2000	
	F	6,049,823		*Hwang	04-11-2000	
	G	6,041,056			03-21-2000	
	H	6,038,368			03-14-2000	
	I	6,025,837			02-15-2000	
	J	6,018,359		*Kermode et al.	01-25-2000	
	K	6,011,782			01-04-2000	
	L	6,009,458			12-28-1999	
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	N	5,982,418			11-09-1999	
	O	5,970,504			10-19-1999	
	P	5,963,202		*Polish	10-05-1999	
	Q	5,949,490			09-07-1999	
	R	5,928,327		*Wang et al.	07-27-1999	
	S	5,778,108			07-07-1999	
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	U	5,877,812		*Krause et al.	03-02-1999	
	V	5,867,155			02-02-1999	
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	X	5,831,662		*Payton	11-03-1998	
	Y	5,833,287			11-03-1998	
	Z	5,825,879			10-20-1998	
	AA	5,959,697			09-28-1998	
	AB	5,808,607		*Brady et al.	09-15-1998	
	AC	5,805,821			09-08-1998	
	AD	5,793,971		*Fujita et al.	08-11-1998	
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	AF	5,729,280		*Inoue et al.	03-17-1998	
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	AH	5,586,264		*Belknap et al.	12-17-1996	
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		Filing Date	March 13, 2001		
		First Named Inventor	Erwin Aguayo		
		Group Art Unit	N/A		
		Examiner Name	Not Yet Assigned		
Sheet	2	of	2	Attorney Docket Number	00119-103-USP

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AM	4,736,420		04-05-1988
AN	4,654,697		03-31-1987
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AZ	5,892,535	*Allen, et al.	04-06-1999
AAA	5,940,738	*Rao	08-17-1999

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, Application, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T ²
	AAB	*Partial Video Sequence Caching Scheme for VOD Systems with Heterogeneous Clients, IEEE Transactions on Industrial Electronics, IEEE Inc., NY, Vol. 45, No. 1	
	AAC	*International Search Report dated December 11, 2001 (4 pages)	
	AAD	*International Preliminary Examination Report dated January 9, 2002 (4 pages)	
	AAE	*www.citeseer.nj.nec.com ResearchIndex Search results (2 pages)	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.